

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRICKHAVEN CONDOMINIUM
ASSOCIATION,

Plaintiff/Counter-
Defendant,

v.

Case No. 14-14235
HON. TERRENCE G. BERG

STACEY M. HOGAN, an individual, and
EQUITY TRUST CO. CUSTODIAN FBO
GARY S. HANN,

Defendant/Counter-Plaintiff.

_____/

ORDER GRANTING PLAINTIFF ATTORNEYS' FEES AND COSTS

Before the Court is Plaintiff's accounting of attorneys' fees and costs (Dkt. 16), filed pursuant to this Court's Order of July 14, 2015 permitting the recovery of just costs against Gary S. Hann. (Dkt. 14). Plaintiff requests a total award of \$12,983.50, which consists of attorneys' fees and costs of \$7,065.50 for the Starr, Butler, Alexopoulos & Stoner law firm and \$5,918 for the Fink & Valvo law firm. Mr. Hann filed no response to Plaintiff's statement.

Section 1447(c) of Title 28 of the United States Code permits the imposition of "just costs and any actual expenses, including attorney fees, incurred as a result of the removal." The Court has held that Mr. Hann is liable for costs and attorneys' fees under § 1447(c) because he removed the case without an objectively reasonable basis for doing so. (Dkt. 14, p. 12) ("It does not appear that Defendants had any objectively reasonable basis for removing the case. This is particularly true because Mr. Hann had previously sought without success to remove two similar cases in

which he proffered the same basis of federal question jurisdiction as he does here, claiming that actions involving his IRA were governed by federal law.”).

Having now received Plaintiff’s submission and after a careful review of the records submitted therewith, the Court finds that Plaintiff’s request of \$12,983.50 is reasonable. Plaintiffs’ two law firms prosecuted their case in an efficient manner and at reasonable hourly rates. Furthermore, the Court notes that Mr. Hann did not object to Plaintiff’s filing or advance any argument that Plaintiff’s cost and fee request is excessive. Consequently, any objection to Plaintiff’s submission is deemed to have been waived.

Accordingly, for the reasons explained above, the Court awards just costs and fees in the amount of \$7,065.50 for the Starr, Butler, Alexopoulos & Stoner law firm and \$5,918 for the Fink & Valvo law firm.

SO ORDERED.

Dated: October 30, 2015

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on October 30, 2015, using the CM/ECF system, which will send notification to all parties.

s/K. Winslow for A. Chubb
Case Manager Generalist